

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

MICHAEL SEAN SPEIGHT, )  
Plaintiff, )  
v. )  
AMANDA KABELBLEIN, ) Case No. 1:24-cv-00055-LM-AJ  
MICHAEL KABELBLEIN, )  
NANCY KABELBLEIN, )  
JUDGE GEORGE PHELAN, and )  
ERIC STEPHAN<sup>1</sup>, )  
Defendants. )  
\_\_\_\_\_  
)

**DEFENDANTS JUDGE GEORGE PHELAN AND  
ATTORNEY ERIC STEPHAN'S MOTION TO DISMISS**

Pursuant to Local Rule 7.1 and Fed. R. Civ. P. 12(b)(1) and 12(b)(6), Defendants Judge George Phelan and Attorney Eric Stephan hereby move to dismiss all of Plaintiff Michael Speight's claims against them.

In further support of this Motion, Defendants repeat and incorporate by reference Defendants Judge George Phelan and Attorney Eric Stephan's Memorandum of Law in Support of Their Motion to Dismiss.

WHEREFORE, Defendants respectfully request that this Court:

- A. Allow this Motion and dismiss Plaintiff's claims against them; and
- B. Grant such other and further relief as equity and justice require.

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<sup>1</sup> This Defendant's name is misspelled "Eric Stephanie" in Plaintiff's Complaint.

JUDGE GEORGE PHELAN, in his individual capacity and his official capacity as Associate Justice of the Massachusetts Probate and Family Court, and ERIC STEPHAN, in his individual capacity and his official capacity as an Attorney for the Massachusetts Department of Revenue

By their Attorney,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

*/s/ Eric A. Martignetti*

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Eric A. Martignetti, NH Bar No. 20118  
Assistant Attorney General  
Government Bureau/Trial Division  
One Ashburton Place, Room 1813  
Boston, MA 02108  
(617) 963-2314  
eric.martignetti@mass.gov

Date: May 21, 2024

**CERTIFICATE OF SERVICE**

I, Eric A. Martignetti, hereby certify that on May 21, 2024, this document was filed through the ECF system and sent electronically to the registered participants as identified on the notice of electronic filing (NEF) and by first-class mail to non-registered participants.

*/s/ Eric A. Martignetti*

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Eric A. Martignetti